

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:03CR3148
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b>ORDER</b>
KENNY GASS,	)	
	)	
Defendant.	)	

IT IS ORDERED that:

- (1) At the request of the defendant through his counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion;
- (2) The Marshal is directed not to return the defendant to the district; and
- (3) The defendant is held to have waived his right to be present.

September 26, 2005.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge